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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,632	09/20/2006	Jay D. Brandt	442092/PALL	8967

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EXAMINER

LITHGOW, THOMAS M

ART UNIT	PAPER NUMBER
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1797

NOTIFICATION DATE	DELIVERY MODE
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12/30/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/552,632	Applicant(s) BRANDT ET AL.	
	Examiner Thomas M. Lithgow	Art Unit 1797	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 11-20, 24, 28-33, 35, 38, 39 and 42 is/are pending in the application.
- 4a) Of the above claim(s) none is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 11-20, 24, 28-33, 35, 38, 39 and 42 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>03-06-2009</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 24, 29, 31 and 33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 29 recites in the preamble that the filter cartridge is “removably mounted within a perforated cage etc.”. Later in claim 24 it is recited wherein the filter cartridge is free of a “perforated cage”. Applicant should clarify these apparently contradictory limitations.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4-6, 11-18, 20, 24, 28-33, 35 and 38-39 are rejected under 35 U.S.C. 102(b) as being anticipated by GB 1516182. GB '182 discloses a filter assembly having a housing 1, a removable portion 35, 29, a cage 15 which surrounds a filter cartridge 23. The cartridge 23 has an end cap ring 30 which is threaded to the removable portion 29 as illustrated in figures 1 and 4. The threads that interconnect the end cap 30 and the removable part 29 constitute the "linkages" as recited in the claims. This connection allows both axial and radial forces to be transmitted from the portion 29 to the filter cartridge 23. Each threading in the end cap and portion 29 would include indentations and protrusions as is common with any thread connection. Upon removal of the "removable portion" and the filter cartridge, cage 15 remains located in the housing 1 [pg. 2, lines 31-65].

3. Claims 24, 29, 31 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by GB 2290486. GB '486 discloses a filter 21 with first and second end caps 23, 26. There is a link element (peg 31) which transmits a twisting force to the end cap 26 when the cap/cover 12 is rotated to remove the cap 12 with the filter cartridge 21 attached. The peg

could also be on the cap 12 with the recesses in the end cap 26 [10, P3].

There is no external "cage" as recited in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over GB '182 as applied to claim 2 and 35 respectively above, and further in view of any one of Ardes (US 5770054) or Peters (US 4367144) or GB '486. GB '182 relies upon a twist off bayonet type connection between his cap/cover 35,29 and his housing 1 but notes specifically [2, 76+] that other locking arrangements may be employed for the same purpose. Any one of the secondary references discloses the use of a combined cap/cover with a filter cartridge (as a unit) where the cap/cover is removed by a threaded attachment rather than the functionally equivalent bayonet attachment. To employ one well known attachment mechanism (thread attach) in place of another well known attachment

arrangement (bayonet) would have been obvious to one of ordinary skill in the art at the time of the invention.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over GB '182 as applied to claim 1 above, and further in view of Ardes '054. The use of a perforated center core is well known and taught by Ardes '054. These cores are used to add support to filters so as to avoid the bypassing or direct structural failure of the filter media under the operating forces of filtration. To employ such a support in GB '182 to further support his filter would have been obvious to one of ordinary skill in the art.

7. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over GB '182 as applied to claim 1 above, and further in view of either one of Jawurek (US 6251273) or WO 02/100511. The use of a hook as one of the link elements that connects a filter cartridge to a cap/cover is taught by either one of Jawurek (US 6251273) or WO 02/100511. In Jawurek '273 there is hook 4 mounted to the filter cartridge end cap and in WO '511 there is hook 41 as part of end cap 22 (fig. 3). To employ a hook connection in place of a functionally equivalent threaded connection would be obvious to one of ordinary skill in the art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M. Lithgow whose telephone number is 571-272-1162. The examiner can normally be reached on Mon. -Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Thomas M. Lithgow/

Primary Examiner, Art Unit 1797

Thomas M. Lithgow
Primary Examiner
Art Unit 1797

TML